

## Section XIII — Appendices

### Appendix I — Statutory Requirements

---

#### *Texas Education Code §39.051. ACADEMIC EXCELLENCE INDICATORS*

- (a) The State Board of Education shall adopt a set of indicators of the quality of learning on a campus. The State Board of Education biennially shall review the indicators for the consideration of appropriate revisions.
- (b) Performance on the indicators adopted under this section shall be compared to state-established standards. The degree of change from one school year to the next in performance on each indicator adopted under this section shall also be considered. The indicators must be based on information that is disaggregated with respect to race, ethnicity, sex, and socioeconomic status and must include:
  - (1) the results of assessment instruments required under Subchapter B aggregated by grade level and subject area;
  - (2) dropout rates;
  - (3) student attendance rates;
  - (4) the percentage of graduating students who attain scores on the secondary exit-level assessment instruments required under Subchapter B that are equivalent to a passing score on the test instrument required under Section 51.306;
  - (5) the percentage of graduating students who meet the course requirements established for the recommended high school program by State Board of Education rule;
  - (6) the results of the Scholastic Assessment Test (SAT) and the American College Test;
  - (7) the percentage of students taking end-of-course assessment instruments adopted under Section 39.023(c);
  - (8) the percentage of students exempted, by exemption category, from the assessment program generally applicable under this subchapter; and
  - (9) any other indicator the State Board of Education adopts.
- (c) Performance on the indicator under Subsection (b)(1) shall be compared to state standards, required improvement, and comparable improvement. The state standard shall be established by the commissioner. Required improvement is defined as the progress necessary for the campus or district to meet state standards and for its students to meet exit requirements as defined by the commissioner. Comparable improvement is derived by measuring campuses and districts against a profile developed from a total state student performance database which exhibits substantial equivalence to the characteristics of students served by the campus or district, including past academic performance, socioeconomic status, ethnicity, and limited English proficiency.

**TEC §39.051**  
**(cont.)**

- (d) Annually, the commissioner shall define exemplary, recognized, and unacceptable performance for each academic excellence indicator included under Subsections (b)(1) through (6) and shall project the standards for each of those levels of performance for succeeding years.
- (e) Each school district shall cooperate with the agency in determining whether a student is a dropout under this section.

***Texas Education Code §39.052. CAMPUS REPORT CARD***

- (a) Each school year, the agency shall prepare and distribute to each school district a report card for each campus. The campus report cards must be based on the most current data available disaggregated by student groups. Campus performance must be compared to previous campus and district performance, current district performance, state established standards, and comparable campus group performance.
- (b) The report card shall include the following information where applicable:
  - (1) the academic excellence indicators adopted under Sections 39.051(b)(1) through (8);
  - (2) student / teacher ratios; and
  - (3) administrative and instructional costs per student.
- (c) The commissioner shall adopt rules for requiring dissemination of appropriate student performance portions of campus report cards annually to the parent, guardian, conservator, or other person having lawful control of each student at the campus. On written request, the school district shall provide a copy of a campus report card to any other party.

***Texas Education Code §39.053. PERFORMANCE REPORT.***

- (a) Each board of trustees shall publish an annual report describing the educational performance of the district and of each campus in the district that includes uniform student performance and descriptive information as determined under rules adopted by the commissioner. The annual report must also include campus performance objectives established under Section 11.253 and the progress of each campus toward those objectives, which shall be available to the public. The annual report must also include the performance rating for the district as provided under Section 39.072(a) and the performance rating of each campus in the district as provided under Section 39.072(c). Supplemental information to be included in the reports shall be determined by the board of trustees. Performance information in the annual reports on the indicators established under Section 39.051 and descriptive information required by this section shall be provided by the agency.
- (b) The board of trustees shall hold a hearing for public discussion of the report. The board of trustees shall give notice of the hearing to property owners in the district and parents, guardians, conservators, and other persons having lawful control of a district student. The notification must include notice to a newspaper of general circulation in the district and notice to electronic media serving the district. After the hearing the report shall be widely disseminated within the district in a manner to be determined under rules adopted by the commissioner.

## **TEC §39.053**

**(cont.)**

- (c) The report must also include a comparison provided by the agency of:
  - (1) the performance of each campus to its previous performance and to state-established standards;
  - (2) the performance of each district to its previous performance and to state-established standards; and
  - (3) the performance of each campus or district to comparable improvement.
- (d) The report may include the following information:
  - (1) student information, including total enrollment, enrollment by ethnicity, economic status, and grade groupings and retention rates;
  - (2) financial information, including revenues and expenditures;
  - (3) staff information, including number and type of staff by sex, ethnicity, years of experience, and highest degree held, teacher and administrator salaries, and teacher turnover;
  - (4) program information, including student enrollment by program, teachers by program, and instructional operating expenditures by program; and
  - (5) the number of students placed in an alternative education program under Chapter 37.
- (e) The State Board of Education by rule shall authorize the combination of this report with other reports and financial statements and shall restrict the number and length of reports that school districts, school district employees, and school campuses are required to prepare.
- (f) The report must include a statement of the amount, if any, of the school district's unencumbered surplus fund balance as of the last day of the preceding fiscal year and the percentage of the preceding year's budget that the surplus represents.

### ***Texas Education Code §39.054. USES OF PERFORMANCE REPORT..***

The information required to be reported under Section 39.053 shall be:

- (1) the subject of public hearings or meetings required under Sections 11.252, 11.253, and 39.053;
- (2) a primary consideration in district and campus planning; and
- (3) a primary consideration of:
  - (A) the State Board of Education in the evaluation of the performance of the commissioner;
  - (B) the commissioner in the evaluation of the performance of the directors of the regional education service centers;
  - (C) the board of trustees of a school district in the evaluation of the performance of the superintendent of the district; and
  - (D) the superintendent in the evaluation of the performance of the district's campus principals.

***Texas Education Code §39.071. ACCREDITATION.***

Accreditation of a school district is determined in accordance with this subchapter.

***Texas Education Code §39.072. ACCREDITATION STANDARDS.***

- (a) The State Board of Education shall adopt rules to evaluate the performance of school districts and to assign to each district a performance rating as follows:
  - (1) exemplary (meets or exceeds state exemplary standards);
  - (2) recognized (meets or exceeds required improvement and within 10 percent of state exemplary standards);
  - (3) academically acceptable (below the exemplary and recognized standards but exceeds the academically unacceptable standards); or
  - (4) academically unacceptable (below the state clearly unacceptable performance standard and does not meet required improvement).
- (b) The academic excellence indicators adopted under Sections 39.051(b)(1) through (6) shall be the main consideration of the agency in the rating of the district under this section. Additional criteria in the rules may include consideration of:
  - (1) compliance with statutory requirements and requirements imposed by rule of the State Board of Education under specific statutory authority that relate to:
    - (A) reporting data through the Public Education Information Management System (PEIMS);
    - (B) the high school graduation requirements under Section 28.025; or
    - (C) an item listed in Sections 7.056(e)(3)(C)-(I) that applies to the district; and
  - (2) the effectiveness of the district's programs in special education based on the agency's most recent compliance review of the district and programs for special populations.
- (c) The agency shall evaluate against state standards and shall report the performance of each campus in a district and each open-enrollment charter school on the basis of the campus's performance on the indicators adopted under Sections 39.051(b)(1) through (6).

***Texas Education Code § 39.073. DETERMINING ACCREDITATION STATUS.***

- (a) The agency shall annually review the performance of each district and campus on the indicators adopted under Sections 39.051(b)(1) through (6) and determine if a change in the accreditation status of the district is warranted.
- (b) Each annual review shall include an analysis of the indicators under Sections 39.051(b)(1) through (6) to determine district and campus performance in relation to:
  - (1) standards established for each indicator;

**TEC §39.073**  
**(cont.)**

- (2) required improvement as defined under Section 39.051(c); and
- (3) comparable improvement as defined by Section 39.051(c).
- (c) A district's accreditation rating may be raised or lowered based on the district's performance or may be lowered based on the unacceptable performance of one or more campuses in the district.
- (d) The commissioner shall notify a district that is rated academically unacceptable that the performance of the district or a campus in the district is below each standard under Subsection (b) and shall require the district to notify property owners and parents in the district of the lowered accreditation rating and its implication.

***Texas Education Code §39.074. ON-SITE INVESTIGATIONS.***

- (a) The commissioner may:
  - (1) direct the agency to conduct on-site investigations at any time to answer any questions concerning a program, including special education, required by federal law or for which the district receives federal funds; and
  - (2) raise or lower the performance rating as a result of the investigation.
- (b) The commissioner shall determine the frequency of on-site investigations by the agency according to annual comprehensive analyses of student performance and equity in relation to the academic excellence indicators adopted under Section 39.051.
- (c) In making an on-site accreditation investigation, the investigators shall obtain information from administrators, teachers, and parents of students enrolled in the district. The investigation may not be closed until information is obtained from each of those sources. The State Board of Education shall adopt rules for:
  - (1) obtaining information from parents and using that information in the investigator's report; and
  - (2) obtaining information from teachers in a manner that prevents a campus or district from screening the information.
- (d) The agency shall give written notice to the superintendent and the board of trustees of any impending investigation of the district's accreditation.
- (e) If an annual review indicates low performance on one or more of the indicators under Sections 39.051(b)(1) through (6) of one or more campuses in a district, the agency may conduct an on-site evaluation of those campuses only.
- (f) The investigators shall report orally and in writing to the board of trustees of the district and, as appropriate, to campus administrators and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers.

***Texas Education Code § 39.075. SPECIAL ACCREDITATION INVESTIGATIONS.***

- (a) The commissioner shall authorize special accreditation investigations to be conducted under the following circumstances:
  - (1) when excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
  - (2) when excessive numbers of allowable exemptions from the required state assessment are determined;
  - (3) in response to complaints submitted to the agency with respect to alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
  - (4) in response to established compliance reviews of the district's financial accounting practices and state and federal program requirements;
  - (5) when extraordinary numbers of student placements in alternative education programs, other than placements under Sections 37.006 and 37.007, are determined; or
  - (6) in response to an allegation involving a conflict between members of the board of trustees or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by this code.
- (b) If the agency's findings in an investigation under Subsection (a)(6) indicate that the board of trustees has observed a lawfully adopted policy, the agency may not substitute its judgment for that of the board.
- (c) Based on the results of a special accreditation investigation, the commissioner may lower the district's accreditation rating and may take appropriate action under Subchapter G.

***Texas Education Code § 39.076. CONDUCT OF INVESTIGATIONS.***

- (a) The agency shall adopt written procedures for conducting on-site investigations under this subchapter. The agency shall make the procedures available to the complainant, the alleged violator, and the public. Agency staff must be trained in the procedures and must follow the procedures in conducting the investigation.
- (b) After completing an investigation, the agency shall present preliminary findings to any person the agency finds has violated a law, rule, or policy. Before issuing a report with its final findings, the agency must provide a person the agency finds has violated a law, rule, or policy an opportunity for an informal review by the commissioner or a designated hearing examiner.

***Texas Education Code §39.111. RECOGNITION AND REWARDS.***

The State Board of Education shall develop a plan for recognizing and rewarding school districts and campuses that are rated as exemplary or recognized and for developing a network for sharing proven successful practices statewide and regionally. The reward may be used to provide educators with summer stipends to develop curricula based on the cited successful strategies. The educators may copyright the curricula they develop.

***Texas Education Code §39.112. EXCELLENCE EXEMPTIONS.***

- (a) Except as provided by Subsection (b), a school campus or district that is rated exemplary is exempt from requirements and prohibitions imposed under this code including rules adopted under this code.
- (b) A school campus or district is not exempt under this section from:
  - (1) a prohibition on conduct that constitutes a criminal offense;
  - (2) requirements imposed by federal law or rule, including requirements for special education or bilingual education programs; or
  - (3) a requirement, restriction, or prohibition relating to:
    - (A) curriculum essential knowledge and skills under Section 28.002 or minimum graduation requirements under Section 28.025;
    - (B) public school accountability as provided by Subchapters B, C, D, and G;
    - (C) extracurricular activities under Section 33.081;
    - (D) health and safety under Chapter 38;
    - (E) competitive bidding under Subchapter B, Chapter 44;
    - (F) elementary school class size limits, except as provided by Subsection (d) or Section 25.112;
    - (G) removal of a disruptive student from the classroom under Subchapter A, Chapter 37;
    - (H) at risk programs under Subchapter C, Chapter 29;
    - (I) prekindergarten programs under Subchapter E, Chapter 29;
    - (J) rights and benefits of school employees;
    - (K) special education programs under Subchapter A, Chapter 29; or
    - (L) bilingual education programs under Subchapter B, Chapter 29.
- (c) The agency shall monitor and evaluate deregulation of a school campus or district under this section and Section 7.056.
- (d) The commissioner may exempt an exemplary school campus from elementary class size limits under this section if the school campus submits to the commissioner a written plan showing steps that will be taken to ensure that the exemption from the class size limits will not be harmful to the academic achievement of the students on the school campus. The commissioner shall review achievement levels annually. The exemption remains in effect until the commissioner determines that achievement levels of the campus have declined.

***Texas Education Code Sec. 39.131. SANCTIONS.***

- (a) If a district does not satisfy the accreditation criteria, the commissioner shall take any of the following actions, listed in order of severity, to the extent the commissioner determines necessary:
  - (1) issue public notice of the deficiency to the board of trustees;
  - (2) order a hearing conducted by the board of trustees of the district for the purpose of notifying the public of the unacceptable performance, the improvements in performance expected by the agency, and the sanctions that may be imposed under this section if the performance does not improve;
  - (3) order the preparation of a student achievement improvement plan that addresses each academic excellence indicator for which the district's performance is unacceptable, the submission of the plan to the commissioner for approval, and implementation of the plan;
  - (4) order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board of trustees of the district and the superintendent shall appear and explain the district's low performance, lack of improvement, and plans for improvement;
  - (5) arrange an on-site investigation of the district;
  - (6) appoint an agency monitor to participate in and report to the agency on the activities of the board of trustees or the superintendent;
  - (7) appoint a master to oversee the operations of the district;
  - (8) appoint a management team to direct the operations of the district in areas of unacceptable performance or require the district to obtain certain services under a contract with another person;
  - (9) if a district has been rated as academically unacceptable for a period of one year or more, appoint a board of managers composed of residents of the district to exercise the powers and duties of the board of trustees; or
  - (10) if a district has been rated as academically unacceptable for a period of two years or more, annex the district to one or more adjoining districts under Section 13.054 or in the case of a home-rule school district, request the State Board of Education to revoke the district's home-rule school district charter.
- (b) If a campus performance is below any standard under Section 39.073(b), the campus is considered a low-performing campus and the commissioner may take any of the following actions, listed in order of severity, to the extent the commissioner determines necessary:
  - (1) issue public notice of the deficiency to the board of trustees;
  - (2) order a hearing conducted by the board of trustees at the campus for the purpose of notifying the public of the unacceptable performance, the improvements in performance expected by the agency, and the sanctions that may be imposed under this section if the performance does not improve within a designated period of time and of soliciting public comment on the initial steps being taken to improve performance;
  - (3) order the preparation of a student achievement improvement plan that addresses each academic excellence indicator for which the campus's performance is unacceptable, the submission of the plan to the commissioner for approval, and implementation of the plan;



**TEC §39.131**  
**(cont.)**

- (4) order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board of trustees, the superintendent, and the campus principal shall appear and explain the campus's low performance, lack of improvement, and plans for improvement;
- (5) appoint a special campus intervention team to:
  - (A) conduct a comprehensive on-site evaluation of each low-performing campus to determine the cause for the campus's low performance and lack of progress;
  - (B) recommend actions, including reallocation of resources and technical assistance, changes in school procedures or operations, staff development for instructional and administrative staff, intervention for individual administrators or teachers, waivers from state statute or rule, or other actions the team considers appropriate;
  - (C) assist in the development of a campus plan for student achievement; and
  - (D) assist the commissioner in monitoring the progress of the campus in implementing the campus plan for improvement of student achievement;
- (6) if a campus has been a low-performing campus for a period of one year or more, appoint a board of managers composed of residents of the district to exercise the powers and duties of the board of trustees of the district in relation to the campus; or
- (7) if a campus has been a low-performing campus for a period of two years or more, order closure of the school program on the campus.
- (c) The commissioner shall review annually the performance of a district or campus subject to this section to determine the appropriate actions to be implemented under this section. The commissioner must review at least annually the performance of a district for which the accreditation rating has been lowered due to unacceptable student performance and may not raise the rating until the district has demonstrated improved student performance. If the review reveals a lack of improvement, the commissioner shall increase the level of state intervention and sanction unless the commissioner finds good cause for maintaining the current status.
- (d) The costs of providing a monitor, master, management team, or special campus intervention team shall be paid by the district.
- (e) The commissioner shall clearly define the powers and duties of a master or management team appointed to oversee the operations of the district. At least every 90 days, the commissioner shall review the need for the master or management team and shall remove the master or management team unless the commissioner determines that continued appointment is necessary for effective governance of the district or delivery of instructional services. A master or management team, if directed by the commissioner, shall prepare a plan for the implementation of action under Subsection (a)(9) or (10). The master or management team:
  - (1) may direct an action to be taken by the principal of a campus, the superintendent of the district, or the board of trustees of the district;
  - (2) may approve or disapprove any action of the principal of a campus, the superintendent of the district, or the board of trustees of the district;

## **TEC §39.131**

**(cont.)**

- (3) may not take any action concerning a district election, including ordering or canceling an election or altering the date of or the polling places for an election;
- (4) may not change the number of or method of selecting the board of trustees;
- (5) may not set a tax rate for the district; and
- (6) may not adopt a budget for the district that provides for spending a different amount, exclusive of required debt service, from that previously adopted by the board of trustees.
- (f) A special campus intervention team appointed under this section may consist of teachers, principals, other educational professionals, and superintendents recognized for excellence in their roles and appointed by the commissioner to serve as members of a team.
- (g) If the commissioner appoints a board of managers to govern a district, the powers of the board of trustees of the district are suspended for the period of the appointment and the commissioner shall appoint a district superintendent. Notwithstanding any other provision of this code, the board of managers may amend the budget of the district.
- (h) If the commissioner appoints a board of managers to govern a campus, the powers of the board of trustees of the district in relation to the campus are suspended for the period of the appointment and the commissioner shall appoint a campus principal. Notwithstanding any other provision of this code, the board of managers may submit to the commissioner for approval amendments to the budget of the district for the benefit of the campus. If the commissioner approves the amendments, the board of trustees of the district shall adopt the amendments.

### ***Texas Education Code §21.357. PRINCIPAL PERFORMANCE INCENTIVES.***

- (a) The commissioner shall design an objective system to evaluate principals that:
  - (1) is based on types of information available as of January 1, 1995, through the Public Education Information Management System (PEIMS) and the state's public school accountability system;
  - (2) focuses on gain at a principal's campus and includes a statistical analysis comparing current campus performance to previous performance; and
  - (3) does not include subjective items.
- (b) The governor, with the advice of the commissioner and appropriate educator organizations, shall appoint seven exemplary principals to advise the commissioner in developing the evaluation system required by Subsection (a). This subsection expires September 1, 1996.
- (c) From funds appropriated for that purpose, the commissioner may award performance incentives to principals identified through the evaluation system as high-performing. Based on available appropriations, for each fiscal year, a performance incentive may not exceed:
  - (1) \$5,000, for a principal ranked in the top quartile; or
  - (2) \$2,500, for a principal ranked in the second quartile.
- (d) This section expires August 31, 2001.

***Texas Education Code §11.251. PLANNING AND DECISION-MAKING PROCESS.***

- (a) The board of trustees of each independent school district shall ensure that a district improvement plan and improvement plans for each campus are developed, reviewed, and revised annually for the purpose of improving the performance of all students. The board shall annually approve district and campus performance objectives and shall ensure that the district and campus plans:
  - (1) are mutually supportive to accomplish the identified objectives; and
  - (2) at a minimum, support the state goals and objectives under Chapter 4.
- (b) The board shall adopt a policy to establish a district- and campus-level planning and decision-making process that will involve the professional staff of the district, parents, and community members in establishing and reviewing the district's and campuses' educational plans, goals, performance objectives, and major classroom instructional programs. The board shall establish a procedure under which meetings are held regularly by district- and campus-level planning and decision-making committees that include representative professional staff, parents of students enrolled in the district, and community members. The committees shall include business representatives, without regard to whether a business representative resides in the district or whether the business the person represents is located in the district. The board, or the board's designee, shall periodically meet with the district-level committee to review the district-level committee's deliberations.
- (c) For purposes of establishing the composition of committees under this section:
  - (1) a person who stands in parental relation to a student is considered a parent;
  - (2) a parent who is an employee of the school district is not considered a parent representative on the committee;
  - (3) a parent is not considered a representative of community members on the committee; and
  - (4) community members must reside in the district and must be at least 18 years of age.
- (d) The board shall also ensure that an administrative procedure is provided to clearly define the respective roles and responsibilities of the superintendent, central office staff, principals, teachers, district-level committee members, and campus-level committee members in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. The board shall ensure that the district-level planning and decision-making committee will be actively involved in establishing the administrative procedure that defines the respective roles and responsibilities pertaining to planning and decision-making at the district and campus levels.
- (e) The board shall adopt a procedure, consistent with Section 21.407(a), for the professional staff in the district to nominate and elect the professional staff representatives who shall meet with the board or the board designee as required under this section. At least two-thirds of the elected professional staff representatives must be classroom teachers. The remaining staff representatives shall include both campus- and district-level professional staff members. Board policy must provide procedures for:

## **TEC §11.251**

**(cont.)**

- (1) the selection of parents to the district-level and campus-level committees; and
- (2) the selection of community members and business representatives to serve on the district-level committee in a manner that provides for appropriate representation of the community's diversity.
- (f) The district policy must provide that all pertinent federal planning requirements are addressed through the district- and campus-level planning process.
- (g) This section does not:
  - (1) prohibit the board from conducting meetings with teachers or groups of teachers other than the meetings described by this section;
  - (2) prohibit the board from establishing policies providing avenues for input from others, including students or paraprofessional staff, in district- or campus-level planning and decision-making;
  - (3) limit or affect the power of the board to govern the public schools; or
  - (4) create a new cause of action or require collective bargaining.

### ***Texas Education Code §11.252. DISTRICT-LEVEL PLANNING AND DECISION-MAKING.***

- (a) Each school district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee established under Section 11.251. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the academic excellence indicators adopted under Section 39.051. The district improvement plan must include provisions for:
  - (1) a comprehensive needs assessment addressing district student performance on the academic excellence indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by the district, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs;
  - (2) measurable district performance objectives for all appropriate academic excellence indicators for all student populations, appropriate objectives for special needs populations, and other measures of student performance that may be identified through the comprehensive needs assessment;
  - (3) strategies for improvement of student performance that include:
    - (A) instructional methods for addressing the needs of student groups not achieving their full potential;
    - (B) methods for addressing the needs of students for special programs, such as suicide prevention, conflict resolution, violence prevention, or dyslexia treatment programs;
    - (C) dropout reduction;
    - (D) integration of technology in instructional and administrative programs;
    - (E) discipline management;
    - (F) staff development for professional staff of the district;

**TEC §11.252****(cont.)**

- (G) career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities; and
- (H) accelerated education;
- (4) resources needed to implement identified strategies;
- (5) staff responsible for ensuring the accomplishment of each strategy;
- (6) timelines for ongoing monitoring of the implementation of each improvement strategy; and
- (7) formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance.
- (b) A district's plan for the improvement of student performance is not filed with the agency, but the district must make the plan available to the agency on request.
- (c) In a district that has only one campus, the district- and campus-level committees may be one committee and the district and campus plans may be one plan.
- (d) At least every two years, each district shall evaluate the effectiveness of the district's decision-making and planning policies, procedures, and staff development activities related to district- and campus-level decision-making and planning to ensure that they are effectively structured to positively impact student performance.
- (d-1) The first evaluation under Subsection (d) shall be performed not later than September 30, 1995. This subsection expires January 1, 1996.
- (e) The district-level committee established under Section 11.251 shall hold at least one public meeting per year. The required meeting shall be held after receipt of the annual district performance report from the agency for the purpose of discussing the performance of the district and the district performance objectives. District policy and procedures must be established to ensure that systematic communications measures are in place to periodically obtain broad-based community, parent, and staff input and to provide information to those persons regarding the recommendations of the district-level committee. This section does not create a new cause of action or require collective bargaining.
- (f) A superintendent shall regularly consult the district-level committee in the planning, operation, supervision, and evaluation of the district educational program.

***Texas Education Code §11.253. CAMPUS PLANNING AND SITE-BASED DECISION-MAKING.***

- (a) Each school district shall maintain current policies and procedures to ensure that effective planning and site-based decision-making occur at each campus to direct and support the improvement of student performance for all students.
- (b) Each district's policy and procedures shall establish campus-level planning and decision-making committees as provided for through the procedures provided by Sections 11.251(b)-(e).
- (c) Each school year, the principal of each school campus, with the assistance of the campus-level committee, shall develop, review, and revise the campus improvement plan for the purpose of improving student performance for all student populations with respect to the academic excellence indicators adopted under Section 39.051 and any other appropriate performance measures for special needs populations.
- (d) Each campus improvement plan must:
  - (1) assess the academic achievement for each student in the school using the academic excellence indicator system as described by Section 39.051;
  - (2) set the campus performance objectives based on the academic excellence indicator system, including objectives for special needs populations;
  - (3) identify how the campus goals will be met for each student;
  - (4) determine the resources needed to implement the plan;
  - (5) identify staff needed to implement the plan;
  - (6) set timelines for reaching the goals; and
  - (7) measure progress toward the performance objectives periodically to ensure that the plan is resulting in academic improvement.
- (e) In accordance with the administrative procedures established under Section 11.251(b), the campus-level committee shall be involved in decisions in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. The campus-level committee must approve the portions of the campus plan addressing campus staff development needs.
- (f) This section does not create a new cause of action or require collective bargaining.
- (g) Each campus-level committee shall hold at least one public meeting per year. The required meeting shall be held after receipt of the annual campus rating from the agency to discuss the performance of the campus and the campus performance objectives. District policy and campus procedures must be established to ensure that systematic communications measures are in place to periodically obtain broad-based community, parent, and staff input, and to provide information to those persons regarding the recommendations of the campus-level committees.
- (h) A principal shall regularly consult the campus-level committee in the planning, operation, supervision, and evaluation of the campus educational program.

## Appendix II — Commissioners Rules

---

### School Report Card

Statute requires the commissioner of education to adopt rules governing the reports required by Chapter 39 of the *Texas Education Code*. The rules, revised in 1995, related to the School Report Card and AEIS reports are provided in this appendix.

#### Chapter 61. School Districts

#### Subchapter BB. Commissioner's Rules on Reporting Requirements,

#### §61.1021. School Report Cards.

- (a) The campus report card disseminated by the Texas Education Agency (TEA) under the Texas Education Code, §39.052, shall be termed the "school" report card (SRC).
- (b) The intent of the SRC is to inform each student's parents or guardians about the school's performance and characteristics. Where possible, the SRC will present the school information in relation to the district, the state, and a comparable group of schools. The SRC will present the student, staff, financial, and performance information required by statute, as well as any explanations and additional information deemed appropriate to the intent of the report.
- (c) The SRC must be disseminated within six weeks after it is received from TEA.
- (d) The campus administration may provide the SRC in the same manner it would normally transmit official communications to parents and guardians, such as: including the SRC in a weekly folder sent home with each student, mailing it to the student's residence, providing it at a teacher-parent conference, or enclosing it with the student report card.
- (e) The school may not alter the report provided by TEA; however, it may concurrently provide additional information to the parents or guardians that supplements or explains information in the SRC.

## AEIS Reports

### Chapter 61. School Districts

#### Subchapter BB. Commissioner's Rules on Reporting Requirements

##### §61.1022. Academic Excellence Indicator System.

- (a) The performance report provided by the Texas Education Agency (TEA) under the *Texas Education Code*, §39.052, shall be termed the Academic Excellence Indicator System (AEIS) report.
- (b) The intent of the AEIS is to inform the public about the educational performance of the district and of each campus in the district in relation to the district, the state, and a comparable group of schools. The AEIS report will present the campus performance information as well as student, staff, and financial information required by statute. It will also include any explanations and additional information deemed appropriate to the intent of the report.
- (c) The hearing for public discussion of the AEIS report must be held within 90 days after the report is received from TEA.
- (d) The AEIS report must be published within two weeks of the hearing for public discussion. It must be published in the same format as it was received from TEA.
- (e) The district may not alter the report provided by TEA; however, it may concurrently provide additional information to the public that supplements or explains information in the AEIS report.
- (f) The local board of trustees shall disseminate the report by posting it in public places, such as each school office, local businesses, and public libraries.



## Appendix III — Who to Call with Questions

---

### RESC Contacts

Representatives from each of the Regional Educational Service Centers (ESCs) will be invited to review sessions on the accountability system in late spring 1996. If you have questions about the accountability system, please call your ESC. The trained representatives will be able to respond more quickly to your concerns than will Texas Education Agency staff. All questions which cannot be answered by ESC staff will be referred to the agency. To provide consistency in the information provided, all ESCs will be provided with regular updates on frequently asked questions and answers.

ESC Region	Location	Telephone	Fax
1	Edinburg	(210) 383-5611	(210) 383-3566
2	Corpus Christi	(512) 883-9288	(512) 883-3442
3	Victoria	(512) 573-9731	(512) 576-4804
4	Houston	(713) 462-7708	(713) 744-6514
5	Beaumont	(409) 838-5555	(409) 833-9755
6	Huntsville	(409) 295-9161	(409) 295-1447
7	Kilgore	(903) 984-3071	(903) 985-9518
8	Mt. Pleasant	(903) 572-8551	(903) 572-8203
9	Wichita Falls	(817) 322-6928	(817) 767-3836
10	Richardson	(972) 231-6301	(972) 231-3642
11	Ft. Worth	(817) 625-5311	(817) 625-5310
12	Waco	(817) 666-0707	(817) 666-0823
13	Austin	(512) 919-5313	(512) 919-5302
14	Abilene	(915) 675-8600	(915) 675-8659
15	San Angelo	(915) 658-6571	(915) 658-6571
16	Amarillo	(806) 376-5521	(806) 373-3432

## RESC Contacts (cont.)

ESC Region	Location	Telephone	Fax
17	Lubbock	(806) 792-4000	(806) 792-1523
18	Midland	(915) 563-2380	(915) 567-3290
19	El Paso	(915) 779-3737	(915) 775-6537
20	San Antonio	(210) 299-2400	(210) 299-2423

## Agency Contacts

Questions about district performance data may be directed to agency staff. Phone numbers for appropriate divisions are provided.

Subject	Division	Telephone	Fax
Accountability Ratings	Performance Reporting	(512) 463-9704	(512) 475-3584
Additional Acknowledgment	Performance Reporting	(512) 463-9704	(512) 475-3584
AEIS / School Report Card	Performance Reporting	(512) 463-9704	(512) 475-3584
Alternative Education	Non-Traditional School Accountability	(512) 463-9716	(512) 463-3665
Awards Programs	Policy Planning and Research	(512) 463-9701	(512) 475-3599
College Admissions Results	Research and Evaluation	(512) 463-9701	(512) 475-3499
Dropout Rates	Research and Evaluation	(512) 463-9701	(512) 475-3499
On-site Investigations	Accreditation	(512) 463-9663	(512) 475-3665
PEIMS Data	Technical Support	(512) 463-9800	(512) 475-3664
Ratings Appeals	Policy Planning and Research	(512) 463-9701	(512) 475-3499
TAAS Data	Student Assessment	(512) 463-9536	(512) 463-9302
TAAS / TASP Equivalency	Student Assessment	(512) 463-9536	(512) 463-9302

## ***Appendix IV — Acknowledgments***

---

Many people have contributed to the development of this edition of the *Accountability Manual*. The project staff wish to thank these individuals for their expert advice and prompt review of our materials. Their comments greatly enhanced the accuracy and format of the document.

### **Executive Management**

Mike Moses, Commissioner of Education

Joe N. Neely, Deputy Commissioner for Finance and Accountability

### **Project Leadership**

Criss Cloudt, Associate Commissioner for Policy Planning and Research

Cherry Kugle, Senior Director, Division of Performance Reporting

Maureen Moore Scheevel, Planner, Office of Policy Planning and Research

### **Contributors**

Stacy Buffington	Division of Performance Reporting
Brad Cone	Division of Systems Operations and Support
Virgil E. (Ed) Flathouse	Office of Finance and Operations
John Haetinger	Division of Performance Reporting
Linda Hargrove	Division of Research and Evaluation
Shannon Housson	Division of Student Assessment
David E. Jacob	Office of Policy Planning and Research
Cathy E. Long	Division of Performance Reporting
Linda Mora	Office of Accountability and School Accreditation
Deborah Nance	Division of Non-Traditional School Accountability
Ann Smisko	Office of Curriculum, Assessment, and Technology
Barbara Walters	Division of Planning and Strategic Services
Betty Weed	Division of Performance Reporting
Joe Wilson	Division of Student Assessment

## **Commissioner's Accountability Advisory Group**

A number of representatives from legislative offices, school districts, and the business community participated in resolving many issues critical to the Accountability System. An advisory group to the commissioner met in November 1996 to discuss issues related to finalizing the 1997 standards, improvement measure issues, and the phase-in of new indicators. We appreciate the efforts these individuals made to tackle tough problems creatively and fairly:

### **Legislative Staff**

Margaret LaMontagne, Senior Advisor, *Governor's Office*  
David Dunn, Manager, Public Education, *Legislative Budget Board*  
Patrick Francis, *Office of the Lieutenant Governor*  
Trish Conradt, *Office of the Speaker of the House*  
Jack Elrod, *General Counsel to the Senate Education Committee*  
Craig Smith, *Special Assistant, House Public Education Committee*

### **School District Representatives**

Rod Paige, Superintendent, *Houston ISD*  
\* Mike Strozeski, Director of Research, *Garland ISD*  
\* William Webster, Research, Planning and Evaluation, *Dallas ISD*  
\* N. Carl Shaw, Director of Research, *Fort Worth ISD*  
\* David Splitek, Associate Superintendent for Instructional Services, *San Antonio ISD*  
Kay Waggoner, Superintendent, *Red Oak ISD*  
James H. Fox, Superintendent, *Austin ISD*  
Manny Soto, Jr., Assistant Superintendent for Instructional Support and Planning, *Ysleta ISD*  
Bill Miller, School Board President, *Lubbock ISD*

### **Other Representatives**

Johnny Veselka, Executive Director, Texas Association of School Administrators  
Jim Crow, Executive Director, Texas Association of School Boards  
\* Orbry Holden, Educational Productivity Council, University of Texas at Austin  
\* David Stamman, Director, AIMS, Texas Association of School Boards  
\* John Stevens, Director, Texas Business and Education Coalition  
Sandy Kress, Attorney, Akin and Gump, Dallas, TX  
Darv Winick, Winick & Associates  
George Scott, Tax Research Association  
\* *Member of Comparable Improvement Focus Group*

## Other Advisory Groups

Two additional groups orchestrated regional review of the accountability system issues and provided periodic review of the accountability system as it evolved.

### Commissioner's TASA Cabinet of Superintendents

Truett Absher, *Eagle Mountain-Saginaw ISD*  
Scott Barton, *Schleicher ISD*  
Danny Bellah, *Woodson ISD*  
Billy Bowman, *Santa Gertrudis ISD*  
Larry Coffman, *Borger ISD*  
Anthony Constanzo, *East Central ISD*  
Jack Crain, *West ISD*  
Leon Cubillas, *Splendora ISD*  
Sonny Donaldson, *Aldine ISD*  
Mary Jane Garza, *Lyford ISD*  
Lupe Gonzales, *Mission Consolidated ISD*  
Wayne King, *Howe ISD*  
Lawrence Lane, *Llano ISD*  
Steve Maikell, *Baird ISD*  
Ken McCraw, *Lamesa ISD*  
Rudy Okruhlik, *Palacios ISD*  
Dawson Orr, *Pampa ISD*  
Stan Paz, *El Paso ISD*  
Ron Reaves, *Port Neches-Groves ISD*  
Mario Sotelo, Sr., *Pecos-Barstow-Toyah ISD*  
John Sutton, *Anthony ISD*  
Carroll Thomas, *North Forest ISD*  
Jeff Turner, *Jacksonville ISD*  
Johnny Veselka, *Texas Association of School Administrators*

### Education Service Center Executive Directors

Roberto Zamora, *Region I*  
Ernest Zamora, *Region II*  
Julius D. Cano, *Region III*  
William L. McKinney, *Region IV*  
Robert E. Nicks, *Region V*  
Bobby Roberts, *Region VI*  
Eddie J. Little, *Region VII*  
Scott Ferguson, *Region VIII*  
Ron Preston, *Region IX*  
Joe T. Farmer, *Region X*  
Raymond L. Chancellor, *Region XI*  
Harry Beavers, *Region XII*  
Roy Benavides, *Region XIII*  
Terry Harlow, *Region XIV*  
Clyde Warren, *Region XV*  
Darrell Garrison, *Region XVI*  
Kyle Wargo, *Region XVII*  
Bryan LeBeff, *Region XVIII*  
Michael Hinojosa, *Region XIX*  
Judy Castleberry, *Region XX*